IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 16116 of 2000

Between:

Mavillapalli Venkata Subbaiah,

son of Chenchu Krishnaiah,

R/o Kanupuru Village, Venkatachalam Mandal,
Nellore District.

..... PETITIONER

AND

1 The Union of India, Rep. by its Principal Secretary (Law),
New Delhi.

2 The District Consumer Disputes, Redressal Forum,
Nellore.

3 Mallapaneni Bujjamma, Wife of Balaiah,
R/o. Kalichedu Village, Sydapuram Mandal,
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, by declaring the power of penalties under Sec.27 of Consumer Protection Act, without contemplating the procedural Rules thereunder, is violative of

Art. 14 and Art.19 of the Constitution of India and consequently declare the action of the 2nd respondent to issue warrant order in P.P.No.19 of 2000 in C.D.No.569 of 1998,
dated 28-7-2000 on the file of the District Consumer Disputes Redressal Forum, Nellore against the Petitioner without following the procedure well established by law is unconstitutional, arbitrary, unjust and against equity and fair play and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: MR.V.PAVAN KUMAR REDDY, Advocate.

For Respondent No. 1: Mr. A. Rajashekar Reddy, Senior Central Government Standing Counsel.

For Respondent No. 2: Government Pleader for Civil Supplies.

For Respondent No.3: MR. N.CHANDRADHAR RAO, Advocate.

The Court made the following Order: (per Sri B. Sudershan Reddy, J)

The subject matter that arises for consideration in this writ petition is squarely covered by the decision rendered by a Full Bench of this Court in **C.V. Ratnam v.**

Union of India and others.

Following the said Judgment, this Writ Petition shall stand dismissed without any order as to costs.

(B. Sudershan Reddy, J)

01..11..2004

(K.C. Bhanu, J)

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 Principal Secretary (Law), the Union of India,
New Delhi.

2 The District Consumer Disputes, Redressal Forum,
Nellore.

3 Two CCs to the Government Pleader for Civil Supplies,

High Court of Andhra Pradesh, Hyderabad (OUT).

4 Two CD copies.